



**Service of Process
Transmittal**

05/27/2021

CT Log Number 539629703

TO: Service of Process
CVS Health Companies
1 CVS DR MAIL CODE 1160
WOONSOCKET, RI 02895-6146

RE: Process Served in Texas

FOR: CVS Pharmacy, Inc. (Domestic State: RI)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: AMANDA MAE STARR, PLTF. vs. CVS PHARMACY INC., Dft.

DOCUMENT(S) SERVED: -

COURT/AGENCY: None Specified
Case # C184421E

NATURE OF ACTION: Personal Injury - Slip/Trip and Fall

ON WHOM PROCESS WAS SERVED: C T Corporation System, Dallas, TX

DATE AND HOUR OF SERVICE: By Certified Mail on 05/27/2021 postmarked on 05/24/2021

JURISDICTION SERVED : Texas

APPEARANCE OR ANSWER DUE: None Specified

ATTORNEY(S) / SENDER(S): None Specified

ACTION ITEMS: CT has retained the current log, Retain Date: 05/27/2021, Expected Purge Date: 06/01/2021

Image SOP

Email Notification, Service of Process service_of_process@cvcs.com

REGISTERED AGENT ADDRESS: C T Corporation System
1999 Bryan Street
Suite 900
Dallas, TX 75201

800-448-5350
MajorAccountTeam1@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.



Joe Moreno
2134 Van Tassel Cir
Edinburg, TX 78539

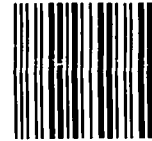
Case 7:21-cv-00254 Document 1-2 Filed on 06/25/21 in TXSD Page 2 of 8



7020 0640 0001 9200 3471



1000



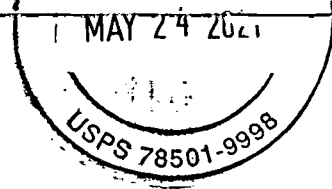
75201

U.S. POSTAGE PAID
FCM LETTER
MCALLEN, TX
78501
MAY 24, 21
AMOUNT

\$7.20

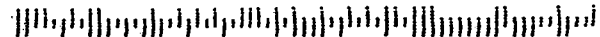
R2306Y151773-22

**RETURN RECEIPT
REQUESTED**



CVS PHARMACY INC.
c/o C.T. Corp.
1999 Bryan St./Ste. 900
Dallas, TX 75201

7520133140 C050



COPY

C-1844-21-E
275TH DISTRICT COURT, HIDALGO COUNTY, TEXAS

CITATION
THE STATE OF TEXAS

NOTICE TO DEFENDANT: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty (20) days after you were served with this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

CVS Pharmacy Inc.
Registered Agent CT Corporation System
1999 Bryan Street, Suite 900
Dallas TX 75201-3136

You are hereby commanded to appear by filing a written answer to the **PLAINTIFF'S ORIGINAL PETITION** on or before 10:00 o'clock a.m. on the Monday next after the expiration of twenty (20) days after the date of service hereof, before the **Honorable Marla Cuellar, 275th District Court** of Hidalgo County, Texas at the Courthouse at 100 North Closner, Edinburg, Texas 78539.

Said petition was filed on this the 13th day of May, 2021 and a copy of same accompanies this citation. The file number and style of said suit being C-1844-21-E, **AMANDA MAE STARR VS. CVS PHARMACY INC.**

Said Petition was filed in said court by Attorney **MICHAEL J. CISNEROS**, 312 LINBERG, MCALLEN TX 78501.

The nature of the demand is fully shown by a true and correct copy of the petition accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

ISSUED AND GIVEN UNDER MY HAND AND SEAL of said Court at Edinburg, Texas on this the 14th day of May, 2021.

LAURA HINOJOSA, DISTRICT CLERK
100 N. CLOSNER, EDINBURG, TEXAS
HIDALGO COUNTY, TEXAS


VINCENTE EACUNDO, DEPUTY CLERK



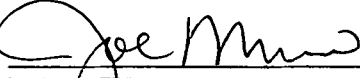
C-1844-21-E
OFFICER'S RETURN

Came to hand on _____ of _____, 202____ at _____ o'clock _____.m. and executed in Dallas County, Texas by delivering to each of the within named Defendant ~~in person~~, a true copy of this citation, upon which I endorsed the date of delivery to said Defendant together with the accompanying copy of the _____ (petition) at the following times and places, to-wit:

NAME	DATE	TIME	PLACE
CVS Pharmacy	5-24-21		

And not executed as to the defendant, _____ the diligence used in finding said defendant, being: _____ and the cause of failure to execute this process is: _____ and the information received as to the whereabouts of said defendant, being: _____. I actually and necessarily traveled _____ miles in the service of this citation, in addition to any other mileage I may have traveled in the service of other process in the same case during the same trip.

Fees: serving ... copy(s) \$ _____
 miles\$ _____



DEPUTY

**COMPLETE IF YOU ARE PERSON OTHER THAN A SHERIFF,
 CONSTABLE OR CLERK OF THE COURT**

In accordance to Rule 107, the officer or authorized person who serves or attempts to serve a citation must sign the return. If the return is signed by a person other than a sheriff, constable or the clerk of the court, the return must either be verified or be signed under the penalty of perjury. A return signed under penalty of perjury must contain the statement below in substantially the following form:

"My name is _____, my date of birth is _____ and the address is _____, and I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED in _____ County, State of Texas, on the _____ day of _____, 202____.

Declarant"

If Certified by the Supreme Court of Texas
Date of Expiration / PSC Number

CAUSE NO.: C-1844-21-E

AMANDA MAE STARR	§	IN THE ____ JUDICIAL DISTRICT
	§	
VS.	§	COURT OF
	§	
CVS PHARMACY INC.	§	HIDALGO COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES AMANDA MAE STARR, hereinafter referred to as Plaintiff, and files this, her Original Petition against CVS PHARMACY INC., hereinafter referred to as Defendant, and for cause of action will show the Court the following:

DISCOVERY CONTROL PLAN - BY RULE (LEVEL 3)

1. Plaintiff intends to conduct discovery under Level 3 as provided by Rule 190 of the Texas Rules of Civil Procedure.

CLAIM FOR RELIEF

2. Plaintiff is seeking monetary relief from Defendant in an amount that is more than \$250,000.00, but less than \$1,000,000.00.

PARTIES

3. Plaintiff Amanda Mae Starr is an individual who resides in San Benito, Cameron County, Texas.

4. Defendant CVS Pharmacy Inc. is a duly licensed corporation in Texas that may be served with process by serving its registered agent, C.T. Corporation System, at 1999 Bryan Street, Suite 900, Dallas, Texas 75201-3136.

C-1844-21-E**VENUE AND JURISDICTION**

5. The incident described hereinbelow or events giving rise to Plaintiff's claim against Defendant arose in Edinburg, Hidalgo County, Texas. Venue for this cause of action therefore lies in Hidalgo County, Texas.

6. The damages that Plaintiff is seeking from Defendant are within the jurisdictional limits of the Court. This Court therefore has jurisdiction of this cause of action.

FACTS

7. On September 24, 2019, at approximately 12:05 p.m., Plaintiff was at Defendant's CVS Pharmacy store located on West Trenton Road in Edinburg, Hidalgo County, Texas to purchase medication. While in the store, Plaintiff used the women's restroom. While in the restroom, Plaintiff slipped, fell to the floor, and suffered injuries and damages. Water, urine, and feces were on the floor, and they caused Plaintiff to slip, fall, and suffer injuries and damages. A large area of the floor was wet, dirty, and slippery due to the water, urine, and feces that were on the floor. After Plaintiff stood up from the floor and cleaned herself, she exited the restroom, located the store manager who was stocking merchandise in an aisle, and reported the condition of the restroom floor and the incident to the manager. In response, the manager told Plaintiff "Oh yeah, I was about to get to that". The manager knew of the dangerous condition of the bathroom floor, failed to place a warning device in the restroom, failed to clean the floor in the restroom, and allowed Plaintiff to enter the restroom and slip and fall on the wet and slippery floor.

**CAUSE OF ACTION BASED ON
PREMISES LIABILITY LAW AND PROXIMATE CAUSE**

8. At the time that is material to the incident described hereinabove and this case, Defendant was negligent under premises liability law in that: A. Plaintiff was a business invitee, B. Defendant owned, possessed, and/or controlled the premises where the incident

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described hereinabove occurred, C. A condition on the premises, the water, urine, and feces on the floor in the restroom and/or the wet and slippery floor in the restroom, as described in the preceding paragraph, posed an unreasonable risk of harm, D. Defendant knew or reasonably should have known of the danger posed by the condition, and E. Defendant breached its duty of ordinary care by failing to adequately warn Plaintiff of the condition and failing to make the condition reasonably safe. This negligence by Defendant was the sole proximate cause or a proximate cause of the incident described hereinabove and the injuries and damages suffered by Plaintiff, as set out hereinbelow.

DAMAGES

9. As a proximate cause of the negligence of Defendant in causing the incident described hereinabove, Plaintiff suffered injuries, suffered aggravating injuries to preexisting conditions, suffered physical pain and mental anguish in the past, will suffer physical pain and mental anguish in the future, suffered physical impairment in the past, will suffer physical impairment in the future, suffered physical disfigurement in the past, will suffer physical disfigurement in the future, lost wages in the past, will suffer a loss of earning capacity in the future, incurred medical expenses in the past, and will incur medical expenses in the future. Plaintiff is seeking monetary relief from Defendant in an amount that is more than \$250,000.00, but less than \$1,000,000.00, as compensation for her damages.

VICARIOUS LIABILITY

10. At the time that is material to the incident described hereinabove and this case, Defendant's employees acted within the course, scope, and authority of their employment and/or agency relationship with Defendant. Defendant should therefore be held vicariously liable to Plaintiff for all of Plaintiff's damages alleged herein.

PREJUDGMENT AND POSTJUDGMENT INTEREST

11. Plaintiff further sues Defendant herein for prejudgment interest at the maximum rate allowed by law on those damages where such interest may be assessed and for

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postjudgment interest at the maximum rate allowed by law on all of Plaintiff's damages from the date of judgment until the judgment is paid in full.

REQUEST FOR JURY AND JURY FEE

12. Plaintiff requests that the above-styled and numbered cause be tried to a jury and represents to the Court that the proper jury fee has been paid to the Clerk of this Court with the filing of Plaintiff's Original Petition.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that upon final hearing, she have judgment against Defendant for all of her damages hereinabove alleged, for prejudgment and postjudgment interest, and for any and all other relief, both general and special, in law and in equity, and for all costs of Court in her behalf expended.

Respectfully Submitted,

THE CISNEROS LAW FIRM, L.L.P.
312 Lindberg
McAllen, Texas 78501
Telephone No. (956) 682-1883
Fax No. (956) 682-0132



MICHAEL J. CISNEROS
State Bar No. 00793509
ARTURO CISNEROS
State Bar No. 00789224
Attorneys for Plaintiff